

EXHIBIT 9

Geyer, Kate

From: Geyer, Kate
Sent: Tuesday, April 15, 2025 9:58 AM
To: Paige Stradley; ValveKTService
Cc: RothschildMGTeam
Subject: RE: Valve v. Rothschild - Gmail

Paige –

Please let us know when you are available to meet and confer this week.

The number of results is a reasonable number, especially as you admit that the number of unique hits—which is required to be disclosed under the Court’s ESI order—is likely lower than you have represented. Further, Defendants had no objections to Valve’s original search terms, including relevance and scope, and even ran those search terms on Falcucci’s SharePoint. Valve only had to revise those search terms because of Defendants’ inability to search using Boolean connectors, which limits Valve’s ability to further narrow any searches. And unlike other search terms, Defendants have offered no compromise proposals for these search terms.

Further, your claims that you have been “transparent” through discovery are concerning. Defendants negotiated and agreed to the ESI Order. We sent you a draft proposed ESI order on March 4, 2024. We met and conferred with you on March 15 and sent a redlined version on April 3 reflecting changes requested by Defendants. Despite reviewing, providing input, and requesting specific changes, almost a year later you now claim that Defendants are unable to meet the requirements that Defendants stipulated to this Court they would do: provide unique hits.

In this and your prior correspondence, you have also made clear that Defendants have not reviewed any of the documents hitting on these search terms, which makes all of their objections speculative and unfounded. You have provided us with no basis that any of your assumptions are “likely.”

Finally, the fact that privileged information regarding other litigations may get captured is not sufficient to refuse discovery. Indeed, Defendants’ other litigations are directly relevant to the claims at issue. As just one example, Defendants’ other litigations and threats of litigation are relevant under the Patent Troll Act. RCW 10.350.020(2)(f) (“The person, or a subsidiary or an affiliate of the person, has previously filed or threatened to file one or more lawsuits based on the same or substantially equivalent assertion of patent infringement, and a court found the person's assertion to be without merit or found the assertion contains false, misleading, or deceptive information.”).

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From: Paige Stradley <PStradley@MerchantGould.com>
Sent: Tuesday, April 8, 2025 9:16 AM
To: ValveKTService <ValveKTService@kilpatricktownsend.com>
Cc: RothschildMGTeam <RothschildMGTeam@MerchantGould.com>
Subject: RE: Valve v. Rothschild - Gmail

CAUTION: External Email

Counsel,

I am following up regarding the below proposed narrowing modifications to Mr. Rothschild's gmail emails. We need to move forward with our review of those gmail emails. Accordingly, unless we hear otherwise by EOD Wednesday, we will move forward with the below narrowing modifications to Mr. Rothschild's gmail account.

Separately, we were able to run Valve's below terms limited to prior to July 7, 2023, as Valve requested. The hit results are below:

- Infringe OR infringes OR infringement OR infringing OR infringer OR demand OR threat OR assert OR target OR campaign OR enforce OR sue OR lawsuit
 - Falcucci outlook – 807
 - Arias outlook – 522
 - Rothschild outlook 398
- Settlement OR license OR agreement
 - Falcucci outlook – 754
 - Arias outlook – 453
 - Rothschild - 161

Although the time limitation did narrow the hits results somewhat, we still disagree that running Valve's above proposed search terms is appropriate and/or necessary. As we have repeatedly stated, these terms are overly broad and are not tethered in any way to this case. To the extent any of the documents encompassed by these hits are relevant, they are likely to be encompassed by our other search terms which are more tailored to the facts of this case (e.g., the search terms relating to the '221 Patent). And because Defendants are involved in other litigations, the above are also likely to encompass privileged and/or work product information making the review unduly burdensome, particularly given the lack of any tie to this case. Accordingly, Defendants do not agree to move forward with use of the above search terms proposed by Valve.

Best,
PSS

Paige Stradley
she/her/hers
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Operating as Merchant & Gould, LLP, in California.

Please consider the environment before printing this email. Thank you.

From: Paige Stradley <PStradley@MerchantGould.com>
Sent: Friday, March 28, 2025 6:24 PM
To: ValveKTService <ValveKTService@kilpatricktownsend.com>
Cc: RothschildMGTeam <RothschildMGTeam@MerchantGould.com>
Subject: Valve v. Rothschild - Gmail

Counsel,

We processed the gmail emails obtained from Mr. Rothschild. We need to do further narrowing of several terms. In particular, with families we got the following documents hits for the below terms:

- “Display Technologies” OR “DT” – over 13,000 documents.
- “Rothschild Broadcast Distribution Systems” OR RBDS – over 4,000.
- Valve – over 7,000
- “Pitch Scientific” – 1,411

We propose the following narrowing modifications:

- (“Display Technologies” OR “DT”) and (Valve OR Steam). This results in 323 hits.
- (“Rothschild Broadcast Distribution Systems” OR RBDS) and (Valve OR Steam). This results in 134 hits.
- Valve and (infringe or infringing or steam or troll or "NPE"). This results in 928 hits.
- “Pitch Scientific” and (Valve or Steam). This results in 61 hits.

We note that because the terms 8856221 or “221 patent” have already been run and collected, we did not include those terms as potential modifiers.

Please let us know if you have any concerns regarding the above modifications to Mr. Rothschild’s gmail search terms. To be clear, we are reviewing documents that hit on the sanctions, 221 patent, and Kizzia Johnson search strings and will produce nonprivileged, responsive documents associated therewith.

Thank you,
Paige

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